IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

CRIMINAL APPEAL NO. 785 OF 1989

State of Maharashtra .. Appellant

versus

Dattatraya Maruti Ambekar & Anr... Respondents

...

Mr.D.P. Adsule, APP for the State.

None for the respondents.

CORAM : V.M. KANADE, J

DATED : 16th September 2004.

ORAL JUDGEMENT :-

1. Heard the learned APP appearing on behalf of the State.

2. The respondent accused was charged u/s.7 r/w 2 of the Prevention of Food Adulteration Act. The trial Court acquitted the accused in Regular Criminal Case no.31 of 1986. The trial Court observed that the mandatory provisions of section 20(1) of the Act

were not followed by the complainant in as much as the sanction which was obtained from the sanctioning authority was very vague and no particulars were given. The Apex Court as well as this Court has held in a number of cases that the order of sanction must not be vague and omnibus.

3. I have perused the order of sanction. In my view, the trial Court has rightly observed that the sanction which is given by the sanctioning authority is a stereotype sanction. I respectfully agree with the finding given by the trial Court. The order of the trial Court is therefore, confirmed.

4. Appeal is dismissed.

V.M.KANADE, J